

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA
HAMMOND DIVISION

ROBERT SZANYI,)
)
)
Plaintiff,)
)
)
v.) CAUSE NO. 2:13-CV-190 RM
)
)
STATE OF INDIANA, *et al.*,)
)
)
Defendants.)

OPINION AND ORDER

Robert Szanyi, a *pro se* plaintiff, filed case initiating documents titled, “Motion for Judicial Review,” and “Motion to Appeal,” along with a motion for leave to proceed *in forma pauperis*. (DE 1-3.) Under the *in forma pauperis* statute, the court must screen the complaint and dismiss if it is frivolous or malicious, fails to state a claim upon which relief may be granted, or seeks monetary relief against a defendant who is immune from such relief, 28 U.S.C. § 1915(e)(2)(B).

It is apparent from Robert Szanyi’s filings that he is trying to seek judicial review of a determination by the Indiana Family and Social Services Administration regarding his eligibility for state Medicaid benefits. (*See* DE 1 at 7.) He has filed in the wrong court. Indiana provides for judicial review of such determinations in its courts. IND. CODE § 4-21.5-5-1; *see also Evans v. State of Indiana*, 908 N.E.2d 1254 (Ind. App. Ct. 2009) (deciding petition for review filed by state medicaid claimant). Federal courts are courts of limited jurisdiction, Northeastern Rural Elec. Membership Corp. v. Wabash Valley, 707 F.3d 883, 890 (7th Cir. 2013), and there is no federal vehicle by which Mr. Szanyi can seek judicial

review of a state agency decision regarding his eligibility for a state program. Accordingly, his complaint will be dismissed, but the dismissal will not prevent him from pursuing whatever remedies he may have available in state court.

For these reasons, the motion for leave to proceed *in forma pauperis* (DE 3) and motion to appeal (DE 2) are DENIED, and the complaint (DE 1) is DISMISSED WITHOUT PREJUDICE pursuant to 28 U.S.C. § 1915(e)(2)(B).

SO ORDERED

ENTERED: June 5, 2013

/s/ Robert L. Miller, Jr.
Judge
United States District Court